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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/689,984	10/22/2003	Michael P. Siok	113474	8991

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EXAMINER

BROADHEAD, BRIAN J

ART UNIT	PAPER NUMBER
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3661

DATE MAILED: 02/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

10/689,984

Applicant(s)

SIOK ET AL.

Examiner

Brian J. Broadhead

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 November 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 November 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 1, and 3-9 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. There is no support in the original disclosure for non-proprietary airline status information. The original disclosure recites shared public information and airline information, which is also referred to as proprietary information. There is no support for a third class of information.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 3 through 5, and 7 through 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Nishimura et al., 5913912.
3. As per claims 1, and 3 through 5, Nishimura et al. disclose a first database networked with a first data source usable to obtain and store publicly available status

information on the status of airport operations(12); a second database networked with a second data source usable to obtain and store airline status information of airline activities, wherein the second database is networked with the first database for status information exchange(11); and a first airport operations advisor module having at least one of a graphical user interface and a text based interface and usable to manage airport operations, wherein the first airport operations advisor is networked with at least the first database to receive at least one of the shared status information and the airline status information(10A), wherein the at least one of the plurality of publicly available information and the non-proprietary airline status information is accessible by airport management and an airline; the first database includes at least publicly available status information and select airline status information that an airline chooses to share on lines 19-25, on column 5; the first database includes status information of functions particular to an airline in figure 13, item 13; further comprising a second airport operations advisor module having at least one of a graphical user interface and a text based interface and usable to manage airline operations, wherein the second airport operations advisor is networked with the first database and the second database to receive the shared status information and the airline status information(10B); and the second airport operations advisor module is networked to the second database to obtain airline information and to distribute airline command directives in figure 2

4. As per claims 7 through 9, Nishimura et al. disclose a first data source that provides publicly available airport status information, wherein the first data source is connected to an input/output interface(12); a second data source that provides airline

status information, wherein the second data source is connected to an input/output interface(11); a memory connected to the input/output interface via a data bus for storing status information on line 7, on column 5; a display connected to the input/output interface for viewing status information from the at least one of the first and the second data source by airport management and an airline(24); an input device connected to the input/output interface for inputting user commands to the airport operations managing system based on the status information(25); and a controller connected to the input/output interface to control the movement of data within the airport operations managing system(22); the status information received from at least one of the first data source and the second data source is routed to a data protocol translating application connected to the data bus under the direction of the controller to be modified to a compatible format and translated status information is output to update information displayed in an active display by sending the status information to the display under the direction of the controller on lines 45-62, on column 7; and the status information is output to at least one of a database managing application and a display managing application connected to the input/output interface via a data bus, wherein at least one of the database managing application and the display managing application updates information displayed in an active display by sending the airport status information to the display under the direction of the controller on lines 45-62, on column 7.

5. As per claims 10 through 16, Nishimura et al. disclose gathering status information on at least one aircraft and an airport from at least one data source and storing the status information in a common decision support database accessible by

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airport management and an airline, distributing the status information to a display at an airport operations center, reviewing the status information on the display to identify current status of operations, and implementing a response based on the status information on lines 31-67, on column 4; implementing a response includes determining if an aircraft is ready for takeoff based on the status information on lines 9-27, on column 5; wherein gathering the status information comprises gathering at least one of shared status information including public status information generated by activities at an airport, and proprietary information generated by an airline and chosen to be shared on lines 5-31, on column 5; wherein gathering the shared status information comprises gathering the status of flight operations and ground services on lines 5-31, on column 31; further comprising archiving the status information to provide a historical record for identifying and implementing changes to airport operations on lines 33-38, on column 9; at least one of the gathering of status information and distributing status information is done in real-time on lines 1-22, on column 7; and instructions for gathering status information on at least one aircraft and an airport from at least one data source and storing the status information in a common decision support database accessible by airport management and an airline, instructions for distributing the status information to a display at an airport operations center, instructions for reviewing the status information on the display to identify current status of operations, and instruction for implementing a response based on the status information on line 38, on column 38, through line 12, on column 8.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nishimura et al., 5913912, in view of Glass et al., 6278965.

8. Nishimura et al. disclose the limitations as set forth above. Nishimura et al. to not disclose a third airport operations advisor module located at an external agency having at least one of a graphical user interface and a text based interface and usable to monitor airport operations, wherein the third airport operations advisor is networked with the first database to receive the status information at the external agency. Glass et al. teach a third airport operations advisor module located at an external agency having at least one of a graphical user interface and a text based interface and usable to monitor airport operations, wherein the third airport operations advisor is networked with the first database to receive the status information at the external agency on lines 4-8, on column 30. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the external connection of Glass et al. in the invention of Nishimura et al. because such modification would allow controller to better balance the load across available runways.

Response to Arguments

9. Applicant's arguments filed 11-9-04 have been fully considered but they are not persuasive. The first argument is overcome by interpretation of the reference. Instead of the first information processing device being (10B), it can be viewed as (10A). The second information processing device can be viewed as (10B). The reference still reads on the claims.

10. The second argument is not convincing because each of the databases (11-16) all are updated with information from the other databases as discloses on line 64, on column 4, through line 3, on column 5. These different databases are all under the control of different entities in the airport. For instance, the gate check in is run by individual airlines and the overall management at (24, 25) is run by airport management.

11. The third argument is not convincing since gate check in information would be proprietary to an airline.

12. Applicant's arguments with respect to claim 6 have been considered but are moot in view of the new ground(s) of rejection.

13. The statement that claims 7-16 are allowable for their recitation of similar features is not convincing since claims 7-16 fail to disclose the network between the databases as argued with respect to claim 1.

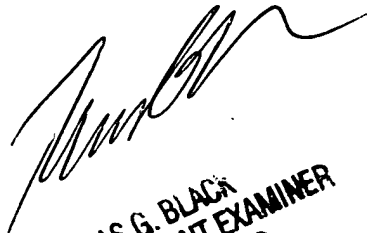
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian J. Broadhead whose telephone number is 703-308-9033. The examiner can normally be reached on Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black can be reached on 703-305-8233. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


BJB


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